
DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVINGDivision of Licensing and Protection

HC 2 South

280 State Drive

Waterbury, VT 05671-2060

S&C Main Line: 802-241-0480

S&C Fax Line: 802-241-0343

APS Reporting Line: 1-800-564-1612

APS Fax Line: 802-241-0342

February 23, 2016

Mr. Jason Ploof, Manager
Cota's Hospitality Home
1079 South Barre Road
Barre, VT 05641-8115

Dear Mr. Ploof:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **January 6, 2016**. Please post this document in a prominent place in your facility.

We may follow-up to verify that substantial compliance has been achieved and maintained. If we find that your facility has failed to achieve or maintain substantial compliance, remedies may be imposed.

Sincerely,



Pamela M. Cota, RN
Licensing Chief

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0365	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 01/06/2016
NAME OF PROVIDER OR SUPPLIER COTA'S HOSPITALITY HOME			STREET ADDRESS, CITY, STATE, ZIP CODE 1079 SOUTH BARRE ROAD BARRE, VT 05641		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE	
R100	Initial Comments: An unannounced onsite investigation into two complaints was conducted by the Division of Licensing and Protection on 1/6/16. The following were regulatory findings.	R100	- Noted. Plan of Correction for R104 stated below. Will appeal. R213, R220, R224		
R104 SS=D	V. RESIDENT CARE AND HOME SERVICES 5.1 Admission 5.2.a Prior to or at the time of admission, each resident, and the resident's legal representative if any, shall be provided with a written admission agreement which describes the daily, weekly, or monthly rate to be charged, a description of the services that are covered in the rate, and all other applicable financial issues, including an explanation of the home's policy regarding discharge or transfer when a resident's financial status changes from privately paying to paying with SSI or ACCS benefits. This admission agreement shall specify at least how the following services will be provided, and what additional charges there will be, if any: all personal care services; nursing services; medication management; laundry; transportation; toiletries; and any additional services provided under ACCS or a Medicaid Waiver program. If applicable, the agreement must specify the amount and purpose of any deposit. This agreement must also specify the resident's transfer and discharge rights, including provisions for refunds, and must include a description of the home's personal needs allowance policy. (1) In addition to general resident agreement requirements, agreements for all ACCS participants shall include: the ACCS services, the specific room and board rate,	R104	- Plan of correction on next page. - The new office RN Manager will complete all new resident assessments within 14 days. New tracking systems/ logs are in place to ensure reassessments are completed routinely (annually) or when notable changes to resident health status changes. No assessment, admission agreement, or AIMs assessment will be overlooked again.		

Division of Licensing and Protection
REGULATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE *Jason P. RV* (X6) DATE

Office Manager 2/1/16

FORM

8806

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If continuation sheet 1 of 7

R104 - R224 POC's accepted 2/22/16 K Campos RN/pme

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R104	Continued From page 1 the amount of personal needs allowance and the provider's agreement to accept room and board and Medicaid as sole payment. This REQUIREMENT is not met as evidenced by: Based on record review and staff interview, the home failed to ensure that a current written admission agreement signed by the appropriate legal agent or resident was on file for 2 of 7 residents reviewed (Resident #1, #2). Findings include: 1. Per record review on 1/6/16, there was a rate increase at the home on 10/1/15 which required new admission agreements to be given to the residents and their legal representatives. Resident #1 has a legal guardian, who is supposed to be signing agreements for the resident. Per review of the new agreement for Resident #1, the legal guardian had not signed the new agreement, instead the resident themselves had signed although they are not their own legal agent. 2. Per record review on 1/6/16, Resident #2 is their own legal agent, and the notification of rate increase given to Resident #2 was initialed with the letters of the resident's name. No signature was present on the notification, and the initials written did not match the other initials actually written elsewhere by the resident. Per interview on 1/6/16, the Home Manager confirmed that the initials written on the updated admission agreement for Resident #2 did not match the other documentation, that there was not a full signature, and that Resident #1 did not have a revised agreement signed by the proper	R104	- As of January 31st 2016, each resident has a new admission agreement signed, not initialed, by themselves or their legally appointed guardian; if they have one. One new resident, with a legal guardian, is awaiting receipt of signed agreement via USPS. - Note: Resident #1 has not resided at Cota's since 10/17/15. Resident #2 has not resided at Cota's since 11/25/15.		

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R104	Continued From page 2 legal authority for that resident.	R104			
R213 SS=G	<p>VI. RESIDENTS' RIGHTS</p> <p>6.1 Every resident shall be treated with consideration, respect and full recognition of the resident's dignity, individuality, and privacy. A home may not ask a resident to waive the resident's rights.</p> <p>This REQUIREMENT is not met as evidenced by: Based on resident interview, the home failed to treat every resident with consideration, respect, and dignity for two of seven residents interviewed (Residents request to remain anonymous). Findings include:</p> <p>Per interview on 1/6/16, Anonymous Resident A stated that they had been told by the home's owner that they needed to pay their rent or they would be discharged, and threatened to "bury them in the backyard and throw their belongings on the burn pile" after a delay in getting Social Security monies to pay the home. The resident also stated that the home owner was loud and rude to residents at times, and that this resident and others were afraid of the home owner due to threats of discharging them. Resident A has hearing loss, and stated that they were yelled at by the home owner for having a television volume up high in the middle of the afternoon. Resident A stated that they did not feel they were treated with dignity and respect by the owner of the home.</p> <p>Per interview on 1/6/16, Anonymous Resident B stated that they were also afraid of repercussions from the home's owner if they complained about</p>	R213	<p>- Ref. 213; All new residents will receive a complete copy of the State Division of Licensing and protection Resident rights policy on admission. Residents and staff will acknowledge and return understanding at all times. There are no circumstances where any member of Cota's House will ask residents to waive their resident rights.</p> <p>6.1: All residents will be treated with compassion and dignity. No verbal threats will be made. Communication with residents will take into account resident needs and level of cognitive and physical functioning. In cases of non-payment of monthly housing costs, efforts will</p>		

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R213	Continued From page 3 treatment to outside agents. This resident stated that they were told not to talk to surveyors about mistreatment or any other complaints, and that the residents were afraid to say anything about what this resident called "bullying" by the home's owner. This resident stated that sometimes they were told to "go to their room" which Resident B perceived as being treated like a child. Resident B stated that they were threatened with discharge from the home, and this resident stated that they have no where else to go, so has been afraid to say anything.	R213	be made to resolve the financial shortfalls in a timely manner with the resident and their legal advocates. If payment, in full, is not received by the 3rd of each month, or appropriate arrangements are not ^{are not} agreed upon, then the home will issue a 30-day notice. The residents will be treated with respect and dignity regardless of their financial standing. All reasonable efforts will be taken to assist residents with placement and continuity of care if they are unable to pay by the eviction date.		
R220 SS=G	VI. RESIDENTS' RIGHTS 6.7 A resident may complain or voice a grievance without interference, coercion or reprisal. Each home shall establish a written grievance procedure for resolving residents' concerns or complaints that is explained to residents at the time of admission. The grievance procedure shall include at a minimum, time frames, a process for responding to residents in writing, and a method by which each resident filing a complaint will be made aware of the Office of the Long Term Care Ombudsman and Vermont Protection and Advocacy as an alternative or in addition to the home's grievance mechanism. This REQUIREMENT is not met as evidenced by: Based on resident interviews, the home failed to ensure that residents may complain or voice a grievance without interference, coercion, or reprisal for two Anonymous residents interviewed (residents A and B). Findings include:	R220	R220: Residents will be free of all repercussions if they express concerns with outside advocates. Residents will		

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R220	Continued From page 4 Per interview on 1/6/16, Anonymous Resident A stated that they had been told by the home's owner that they needed to pay their rent or they would be discharged, and threatened to "bury them in the backyard and throw their belongings on the burn pile" after a delay in getting Social Security monies to pay the home. The resident also stated that the home owner was loud and rude to residents at times, and that this resident and others were afraid of the home owner due to threats of discharging them. Resident A has hearing loss, and stated that they were yelled at by the home owner for having a television volume up high in the middle of the afternoon. Resident A stated that they did not feel they were treated with dignity and respect by the owner of the home, and did not feel comfortable voicing grievances to the home owner or to outside agents due to the threat of discharge from the home. Per interview on 1/6/16, Anonymous Resident B stated that they were also afraid of repercussions from the home's owner if they complained about treatment to outside agents. This resident stated that they were told not to talk to surveyors about mistreatment or any other complaints, and that the residents were afraid to say anything about what this resident called "bullying" by the home's owner. This resident stated that sometimes they were told to "go to their room" which Resident B perceived as being treated like a child. Resident B stated that they were threatened with discharge from the home, and this resident stated that they have no where else to go, so has been afraid to say anything.	R220	will be encouraged to report any perceived "bullying", physical or emotional abuse, or retribution for expressing needs or concerns to the office Manager, RN, or if this is a conflict of interest, to DLP Office of the Long Term Care ombudsman at (802) 241-2345 PM 241-0400 R224: Until the residents feel free of what they perceive to be threatening acts towards them. The facility will continue to ensure that staff, subject to APS allegations, are not alone with residents without being accompanied by another person. In cases where this is impractical or not feasible, the supervised/assigned staff member will		

R224: VI. RESIDENTS' RIGHTS
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R224

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R224	Continued From page 5 6.12 Residents shall be free from mental, verbal or physical abuse, neglect, and exploitation. Residents shall also be free from restraints as described in Section 5.14. This REQUIREMENT is not met as evidenced by: Based on resident interviews, the home failed to ensure that residents were free from mental and verbal abuse for two residents sampled (Anonymous Residents A and B). Findings include: 1. Per interview on 1/6/16, Anonymous Resident A stated that they had been told by the home's owner that they needed to pay their rent or they would be discharged, and threatened to "bury them in the backyard and throw their belongings on the burn pile" after a delay in getting Social Security monies to pay the home. The resident also stated that the home owner was loud and rude to residents at times, and that this resident and others were afraid of the home owner due to threats of discharging them. Resident A has hearing loss, and stated that they were yelled at by the home owner for having a television volume up high in the middle of the afternoon. Resident A stated that they did not feel they were treated with dignity and respect by the owner of the home. 2. Per interview on 1/6/16, Anonymous Resident B stated that they were also afraid of repercussions from the home's owner if they complained about treatment to outside agents. This resident stated that they were told not to talk to surveyors about mistreatment or any other complaints, and that the residents were afraid to say anything about what this resident called	R224	properly annotate any/all interactions with residents as thoroughly as possible in resident chart. In cases where PHI won't be compromised, another resident of the same gender will be included in the communication as a witness. R224 cont. - The Office Manager, RU will ensure all residents receive an inservice on arrival or quarterly providing simple definitions of mental, verbal, or physical abuse, neglect, and exploitation with scenarios for reporting and role-play effective communication. R224 cont. Acceptable interventions for deescalation of behavioral challenges with residents will		

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NAME OF PROVIDER OR SUPPLIER

STREET ADDRESS, CITY, STATE, ZIP CODE

COTA'S HOSPITALITY HOME

1079 SOUTH BARRE ROAD
BARRE, VT 05641

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R224	Continued From page 6 "bullying" by the home's owner. Resident B stated that the owner was verbally abusive to other residents of the home however would not give any specific information. This resident stated that sometimes they were told to "go to their room" which Resident B perceived as being treated like a child. Resident B stated that they were threatened with discharge from the home, and this resident stated that they have no where else to go, so has been afraid to say anything.	R224	Utilize measures suggested in the behavioral interventions for specified dysregulation. In cases where an intervention may include recommendation a patient return to their room, or other actions, these implementations will be carried out in a private, dignified, and positive manner with a real and measurable objective for resumption of normal activities. Conclusion: As office Manager I will develop a confidential survey for our residents to complete quarterly to rate their care and treatment received.	

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Results will be used to improve care and communication.

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Nothing Follows
Jason Ploof, RN